

# CONSTITUTION

AND

CANONS



1901

**DIOCESE OF NORTH CAROLINA** 



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# CONSTITUTION AND CANONS

OF THE

# DIOCESE OF NORTH CAROLINA,

TOGETHER WITH THE

30 11

RULES OF ORDER,

WITH

MARGINAL REFERENCES AND ANNOTATIONS.

PUBLISHED BY ORDER OF THE CONVENTION

1901

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# CONSTITUTION.

#### ARTICLE I.

The Church in this Diocese accedes to and adopts the Constitution of the Protestant Episcopal Church in the United States of America, as set forth in General Convention thereof, and acknowledges its authority accordingly.

#### ARTICLE II.

SECTION 1. [a] There shall be an Annual Convention of the Church in this Diocese [b] at such time and place as may be determined by the next preceding Convention, or, in the event of no such determination, on the last Wednesday in May, at such place as may be agreed upon by the Bishop and Standing Committee.

SEC. 2. But the time or place of such meeting may be changed, or special Conventions called, by the Ecclesiastical Authority of the Diocese, subject, nevertheless, to such canonical provisions as may hereafter be made:

SEC. 3. Provided, that no special Convention shall be called without at least sixty days' notice, which notice shall be published for at least one month in three different newspapers of the State, and [c] shall specify the business and purpose for which said special Convention is to be called, and upon that alone it shall act.

### ARTICLE III.

SECTION 1. [a] The Convention shall be composed of the two orders, Clerical and Lay.

SEC. 2. [b] The Bishop of the Diocese, or in his absence, the Assistant Bishop, if there be one, or the Bishop in charge, as representing the Episcopal Authority, shall, if present, preside at all meetings of the Convention.

Accession to the Constitution and Canons of the General Convention.

1859.

See Article I, 1817.

Annual Convention.

1859.

[a] 1817.

[b] 1825: 17.

[c] Can. IV., 1819.

Of Clergy and Laity.

1859.

[a] 1817, Art. 3. The Bishop.

[b] 1817, Art. 5. Clerical Members: 1882.

[a] 1830. [b] 1897: 30. [c] 1831: 6. SEC. 3. Every Clergyman of the Church having been [a] canonically connected with the Diocese, as well as [b] having been a resident therein for six kalendar months before any meeting of the Convention, either as a Clergyman or [c] as a Candidate for orders, shall be entitled to a seat and vote in the same: Provided, that the restriction of residence as above required, shall not apply to professors, tutors or students in the General Theological Seminary, or in any university or college maintained and governed in part by the Diocese, or to officers of the General Missionary Board of the Church, or to Chaplains in the army and navy.

Lay Members: Parishes.

[a] 1821: 19. [b] 1871: 40, 41.

[c] 1144: 37.

[d] 1859.

[e] 1830: 27.

Lay Members: Missions.

1887: 41, 42.

SEC. 4. Each regularly organized Parish in union with the Convention shall be entitled to be represented at its sessions by one or more delegates,  $\lceil a \rceil$  not exceeding four, to be chosen by the Vestry [b] from among the male communicants of said Parish: Provided, that in case there shall be no male communicants in said Parish, the Vestry shall have power to elect one or more delegates, qualified as above, from any other Parish or Parishes of the Diocese. And each Vestry [c] shall be entitled to elect, in addition, four alternate delegates, subject to the same qualifications, who shall be authorized, in the order of their election, to fill any vacancy that may occur in the delegation originally chosen: [d] Provided, that no person, clerical or lay, under Ecclesiastical censure, publicly declared by a competent tribunal, shall be admissible to a seat in the Convention: [e] Provided further, that no person shall be allowed to represent more than one Parish in the same Convention.

SEC. 5. Each regularly organized Mission in union with the Convention, and having not less than ten adult communicants, shall be entitled to be represented at the sessions of the Convention by one delegate, to be elected by the congregation from among the adult male communicants of the Mission, subject to the conditions and limitations of the preceding section.

SEC. 6. If any Parish or Mission shall neglect or decline to appoint delegates, or if any of those appointed shall neglect or be prevented from attending, such Parish or Mission shall, nevertheless, be bound by the acts of the Convention.

Congregation not sending delegates bound by action of the Convention.

## ARTICLE IV.

SECTION 1. The Convention shall be the sole judge of the election of its own members. It shall have power to adopt rules of order for its own government, elect officers and raise funds, and shall also have such other legislative powers as may be necessary and proper for the well-being of the Diocese.

Powers of the Convention.

1859.

SEC. 2. The Convention shall have no power to pass any Canon infringing the Episcopal Authority, or affecting the spiritual condition of the Diocese, against the express dissent of the Bishop: *Provided*, that said dissent shall be expressed at that or the ensuing Annual Convention.

SEC. 3. But this shall not prevent the Convention from offering, independently of the Bishop, resolutions of advice or inquiry, or from any proceedings necessary for the purpose of impeachment.

### ARTICLE V.

To constitute a quorum for the purpose of ordinary business, the presence of one-third of all the Parochial and Missionary Clergy, and of delegates from ten of the Parishes entitled to representation in the Convention, shall be necessary. Any less number shall be competent to receive reports and to adjourn.

Quorum.

1868: 46.

# ARTICLE VI.

SECTION 1. Upon any question before the Convention, when it may be required by any one Clerical member, or by the delegation present of any one Parish, the two orders shall vote separately. And in all cases of a vote by orders, each

Vote by Orders.

1859.

See Art. 8 of 1817: also 1826:33.

Clerical member shall be entitled to one vote, and each Parish shall also be entitled to one vote, and a concurrence of majorities of both orders shall be necessary to a decision. When no such division is called for, each member of the Convention shall be entitled to one vote.

SEC. 2. All elections shall be by ballot, unless otherwise unanimously ordered.

### ARTICLE VII.

Officers of the Convention. 1859.

[a] 1817.

[b] 1825: 20.

SECTION 1. The Convention shall annually elect a [a] President (who shall be a Presbyter of the Diocese), a [a] Secretary and  $\lceil b \rceil$  a Treasurer.

SEC. 2. Should there at any time be no such election, then the officers last before elected shall hold over till such election shall be had.

SEC. 3. Should the office of Secretary or that of Treasurer become vacant, by death or otherwise, at any time preceding the annual election, the Ecclesiastical Authority shall be empowered to appoint some person to fill the vacancy till such time as an election shall be had, who shall be competent to all the powers and duties of the office as if regularly elected thereto.

### ARTICLE VIII.

Standing Committee

1859. 1817

[c] 1830.

1829: 22.

SECTION 1. A Standing Committee or Council of Advice to the Bishop, of not less than five persons, shall be annually elected by the Convention. [c] A majority of said committee shall at all times be Clergymen of the Diocese, and no layman not a communicant shall be a member thereof.

SEC. 2. The Committee shall have power to fill any vacancy that may occur in their own body between the annual meetings of the Convention.

SEC. 3. When there is no Bishop, the Standing Committee shall be the Ecclesiastical Authority of the Diocese, and as such, may invite the temporary services of other Bishops, and, for due cause, may change the time or place of the annual meetings of the Convention. They may also summon special Conventions when there is no Bishop, and shall do so upon the call of one-third of the Clergy of the Diocese, or of onethird of the Parishes in union with the Convention, as appearing upon the lists of the Journal last before published. And although there be a Bishop, the Standing Committee shall have power to call special Conventions for the purpose of proceedings relative to his impeachment, and shall do so upon a similar requisition by the Clergy or Laity.

#### ARTICLE IX.

SECTION 1. Any ten or more adults may organize themselves into a Parish, and be received into union with the Convention, by taking such steps as may be provided for by [a] And the Ecclesiastical Authority of the Diocese [a] 1887: 41, may organize Missions in such manner as shall be provided by Canon, in any part of the Diocese not included within the limits of an organized Parish in union with the Convention.

SEC. 2. Provided, that it shall always be competent to the 1859. Ecclesiastical Authority of the Diocese, with the consent in writing of the Rector of any Parish, a copy of which consent shall be filed with the Registrar of the Diocese, to establish within the limits of said Parish independent missionary congregations, whose ministers shall be independent of the Rector and responsible only to the Ecclesiastical Authority aforesaid: Provided furthermore, if the consent of the Rector be denied, an appeal may be taken to the Bishop, whose decision, if by the advice and consent of the Standing Committee, shall be final.

SEC. 3. In all Parochial elections none shall be entitled to 1859. vote but males of the age of twenty-one years, members of the Parish, who shall have subscribed a declaration in the following words, viz.:

"We, the undersigned, do hereby consent to be governed

Organization of Parishes, etc. 1859. See Canon of 1821: 19.

by the Constitution and Canons of the Church, as set forth in General Convention, and by the Constitution and Canons of the Church in this Diocese": *Provided*, that this section shall not be taken to infringe upon the existing customs of any already organized Parish.

1859. 1868: 46. SEC. 4. Any Parish ceasing to be represented in the Convention for two successive years, or any Parish resisting the authority of the Convention, may be suspended from the right of representation, or its connection with the Convention be dissolved, by a vote of a majority of all the Parochial Clergy, and a majority of delegates from at least twenty Parishes. But such suspension or dissolution shall never take place without previous inquiry by a committee appointed for the purpose, and a report upon the facts of the case; nor until after thirty days' notice to the Rector or Vestry, or in case there be none, then to some member of the Parish in default.

### ARTICLE X.

Who is a Rector. His rights and powers. 1859.

SECTION 1. Any Presbyter regularly called to the charge of a Parish and entering thereupon, shall, during the time of such charge, be held to be the Rector of said Parish.

SEC. 2. The Rector is recognized as having, by virtue of his office, the exclusive regulation, under his canonical superiors, of all the spiritual concerns of the Parish; as being entitled at all times to have access to the church building, and to open the same for the services or instruction of this Church, as he may deem proper; to call meetings of the Vestry or congregation; when present, to preside in the same, and, in case of a tie, to give the casting vote.

### ARTICLE XI.

Trial of Clergymen. 1859.

The Convention shall pass Canons for the trial of Clergymen.

### ARTICLE XII.

SECTION 1. When a Bishop or Assistant Bishop is to be elected, the Convention shall vote by ballot and by orders; and a concurrence of a majority of all the Clergy entitled to vote in the Convention, and of the delegates from at least twenty Parishes in union with the Convention (the said delegates voting by Parishes), shall be necessary to an election.

Election of a Bishop.

1895: 26. See also Art 9: 1817. 1868: 46.

1859. See also Canon of 1830.

SEC. 2. In the election of a Bishop, or upon any question touching the same, no Clergyman who shall have become canonically connected with the Diocese during the vacancy in the Episcopate, and no Parish which shall have been received into union with the Convention during such vacancy, shall be permitted to vote.

#### ARTICLE XIII.

No new Canon shall be passed, nor shall any existing Canon be amended, upon the day upon which said new Canon or amendment may be proposed, without unanimous consent. Nor, without a similar consent, shall the question upon such Canon or amendment be finally put without previous reference to a committee.

Canons—how passed.

# ARTICLE XIV.

SECTION 1. This Constitution shall not be altered or amended without—

First. A concurrent vote of a majority of both orders present at one Annual Convention proposing said alteration.

Second. The adoption of the proposed alteration or amendment, at the next ensuing Annual Convention, by a majority of all the Clergy present, and a majority of the delegates from at least twenty Parishes entitled to seats in said Convention, the said delegates voting by Parishes.

Amendments to the Constitution.

1859.

SEC. 2. Provided, that the consideration of the proposed amendment may always be postponed to the next Annual Convention by a vote of two-thirds of both orders present.

# ARTICLE XV.

Constitutional Amend-ments take effect—when. 1859.

All Constitutional enactments shall take effect from and after the adjournment of the Convention at which they shall have been ratified.

# CANONS.

# CHAPTER I-THE CONVENTION.

#### CANON I.

CHANGE OF TIME OR PLACE OF MEETING OF CONVENTION.

Whenever the prevalence of an epidemic or contagious disease, or other sufficient cause, shall render it necessary, the [a] Ecclesiastical Authority of the Diocese may change the place and time of meeting of the Diocesan Convention.

1824: 29.

[a] 1859.

#### CANON II.

#### LIST OF MEMBERS OF CONVENTION.

SECTION 1.—Clergy.—It shall be the duty of the Secretary, before the opening of the Annual Convention, to apply to the Ecclesiastical Authority for a correct list of the Clergy entitled to seats. Such list shall be prima facie evidence of said title, and from it the Secretary shall prepare the roll for the purpose of organization.

1859.

SEC. 2.—Laity.—The Secretaries of the several Parish Vestries, [a] and the clerks of organized Missions, electing lay delegates to the Convention, shall furnish three certificates of said election, whereof one shall be handed to the delegates elect, one shall be forwarded to the Secretary of the Convention, and one to the minister of the Parish where the Convention is to be held, the latter two to be mailed at least two weeks before the time appointed for the opening of the session. From these certificates the Secretary shall prepare a list of lay delegates, to be called at the opening of the Convention; nor shall he insert any name upon the roll without the evidence of one of said certificates, unless specially

[a] 1887: 42, 43. directed to do so by the Convention. Defective or doubtful certificates shall be laid aside, to be acted upon after the Convention shall have organized.

#### CANON III.

1859.

Art. 4 of Constitution of 1817, except as to the celebration of the Holy Communion.

#### CANON III.

#### SERVICES.

At the opening of the Convention, divine service shall be celebrated and the Holy Communion administered, and a sermon shall be preached by some Clergyman appointed for the purpose by the Ecclesiastical Authority.

#### CANON IV.

#### RULES OF ORDER.

1859.

The Convention shall adopt Rules of Order, which shall continue in force till altered.

### CANON V.

PRESIDENT.

#### 1859.

The President shall preside at all meetings of the Convention, in the absence of a Bishop competent to do so, according to the provisions of the Constitution.

#### Art. 5 of Constitution of 1817.

### CANON VI.

#### SECRETARY.

1859.

The Secretary shall issue the prescribed notices of the annual meetings of the Convention, and in case of special meetings of the same, or of a change in the time or place of the regular meeting, shall, under the direction of the Ecclesiastical Authority, issue notices thereof. He shall prepare the canonical lists of the Clergy and lay delegates entitled to seats therein. In the absence of both Bishop and President, he shall call the Convention to order for the purpose of organization. He

1817.

shall keep a record of its proceedings, under its direction, in a [a] suitable book to be kept for the purpose; shall prepare and issue its journals; shall preserve and have ready for reference all papers belonging to the same, not specially given into other hands; [b] and shall also be the Registrar of the Diocese. [c] The Treasurer is hereby directed to pay out of the funds of the Diocese, on the written application of the Secretary, the expenses necessarily incurred by the latter, from time to time, in discharging the duties prescribed by this Canon.

1al 1879: 48.

[b] 1867:43.

[c] 1872: 40

#### CANON VII.

#### TREASURER.

SECTION 1. The Treasurer shall have custody of all funds or moneys belonging to the Diocese; shall, under the direction of the Convention, receive, invest and disburse the same, and shall keep and return an account thereof to each annual meeting; [a] and shall also report annually a complete list of all securities belonging to the Diocese. He shall give bond for the faithful discharge of his duties, in such sum as the Trustees of the Diocese may from time to time designate, such bond to be deposited with the Trustees of the Diocese.

and 43.

SEC. 2. He shall deposit the bonds and other securities in his hands in a place of safety, to be designated by the Trus-

tees of the Diocese.

# CANON VIII.

#### COMMITTEES.

SECTION 1. In addition to the Standing Committee, there shall be elected annually the following committees, of which the Bishop shall be Chairman ex officio, whose members shall remain in office until the election of their successors, viz.: An Education Committee, to consist of three; and an Executive Missionary Committee, to consist of four Clergymen and five laymen; the Convocations of Raleigh and Charlotte to be

Canon of

1825: 20.

1882.

[a] 1872: 40

1882: 60, 67.

1901.

represented each in both orders, five members (of whom the Bishop may be one) constituting a quorum for the transaction of business.

Prior to 1882 this paragraph was a rule of order

1888: 59.

1859.

There shall be annually appointed by the Bishop, or in his absence by the President of the Convention, a Committee on Canons and a Committee on the State of the Church, each to consist of three Clergymen and two laymen, and Committees on Finance, on Elections, on New Parishes, and on Unfinished Business, each to consist of two Clergymen and three laymen.

SEC. 2.—Standing Committee. The Standing Committee shall elect a President and Secretary from their own body. They shall assemble upon the call of their President whenever he may deem it necessary. He shall also summon them whenever required to do so by the Bishop, or by any three members of the Committee. In the event of a vacancy in the Episcopate, the President shall call a meeting within thirty days after knowledge of the fact. The Standing Committee shall hold meetings for the transaction of business on the third Tuesday preceding the stated times of ordination, and at each Convention: Provided, that the Committee shall not be required to meet except upon notice by the President. They shall also report to the annual meetings of the Convention the transactions of the preceding year. A record of all their official acts shall be kept by their Secretary, which shall always be open to the inspection of the Bishop and of the Convention.

1859.

SEC. 3. Executive Missionary Committee.—The Executive Missionary Committee shall have in charge the Missionary Funds of the Diocese, for which they shall be empowered to draw upon its Treasurer, the order of their Chairman being the Treasurer's warrant. They shall receive applications for aid; they shall report annually to the Convention their transactions during the previous year, and the condition of the missionary field, and shall make such recommendations for the future as may seem to them good. Under the direction of the Bishop—if there be one—they shall select the Missionaries or Missionary Stations to be aided, and in the absence of

specific directions by the Convention shall make such appropriations to the same as may seem to them suitable.  $\lceil a \rceil$  With the consent of the Bishop, they may appropriate moneys to Convocations, instead of individuals; and may leave to these Convocations, under the direction of the Bishop, the selection of Missionaries or Missionary Stations to be aided.

[a] 1868: 37 and 49.

SEC. 4. Education Committee.—The Education Committee shall have charge of the Education Fund of the Diocese, with power, in the absence of express provisions to the contrary, to invest or appropriate the same as may seem to them best. They shall be empowered to draw upon the Treasurer of the Diocese for all such funds in his hands, and the order of their Chairman shall be his warrant. They shall receive, consider and act upon all applications for aid in behalf of young men desirous to enter the Ministry of the Church. They are hereby directed to seek out such cases, and, if need be, bring them to the notice of the Church in any way that may seem best. They shall report annually to the Convention their transactions of the preceding year, and the condition

1859. Before 1859 it was a Standing Resolution passed 1852:

SEC. 5. Committee on Canons.—The Committee on Canons 1871: 41. shall receive, consider and present to the Convention all motions or resolutions pertaining to the Constitution, Canons, and Rules of Order, and are competent to originate any new matter touching these subjects, that they shall see proper. The Committee on Canons may report to the Convention at which they are appointed, or on the morning of the second day of the next succeeding Convention.

of the fund under their control, and shall make such recom-

mendations for the future as may seem to them good.

1880:42.

SEC. 6. Committee on the State of the Church.—It shall be 1859. the duty of the Committee on the State of the Church, from such materials as may be placed before them, to report to the Convention at some time during its session, the condition of the Diocese, with such particular statements, or such recommendations, as may seem to them desirable.

1871: 41, Rule of Order, 1827.

[a] 1882: 37.

SEC. 7.—Committee on Finance. The Committee on Finance shall audit the Treasurer's accounts. They shall have power to report a scale of assessments for the purpose of raising funds required for Diocesan purposes; they may receive applications for the alteration of the said scale, [a] and shall have power to modify the same for the current year, reporting all such applications and their action thereon to the Convention. They shall report to each Convention the general condition of the several funds of the Diocese, with such deficits in the assessments as may be discoverable. They may make such recommendations as may seem to them desirable, and shall act upon all other matters relative to Diocesan property committed to them by the Convention.

#### CANON IX.

#### RELIEF FUND.

The contributions to the Relief Fund shall be distributed under the direction of the Bishop.

#### CANON X.

#### DEPUTIES TO THE GENERAL CONVENTION.

At each Annual Convention there may, and at each Annual Convention immediately preceding the triennial session of the General Convention there shall, be elected four clerical and four lay deputies to the said General Convention, who shall be, in accordance with Article II of the Constitution of the General Convention, "Communicants in this Church and residents in the Diocese." There may also be appointed four alternate clerical and four alternate lay deputies, subject to the same provisions as the original deputies above mentioned. The said alternate deputies shall succeed to vacancies in the original deputation—the Clergy in the order of official and the laymen in that of personal seniority. And in this order the Secretary shall insert their names upon the journal.

1859.

See Resolution of Convention, 1856: 65.

1859.

Deputies elect to the General Convention, finding themselves unable to attend, shall, four weeks at least before the time of meeting, give notice to the first alternate of the same order. Should said alternate be unable to attend, he shall give immediate notice to the next upon the list of the same order with himself. Should either of said alternates receive two or more of such notices, he shall, according to the circumstances, transmit said notices to one or more of the alternates who follow him, and in the order in which they come.

### CANON XI.

#### TRUSTEES OF THE DIOCESE.

SECTION 1. The Bishop, or, when there is no Bishop, the President of the Standing Committee, shall, ex-officio, with two laymen to be elected by the Convention, constitute a Board of Trustees for the Church in this Diocese, and shall be authorized to hold the property of the Diocese not otherwise provided for; [a] they shall also have the power to convey the property of any organized Parish for whose use they hold the same, upon request in writing of the Vestry, if it shall seem advisable to them to do so. In the case of Missionary districts of the Diocese, they may convey property upon the recommendation of the Bishop and the Missionary in charge. In case of refusal to convey upon request made, they shall report the facts to the next Convention. [b] They shall also, from time to time, give directions to the Treasurer in regard to the investment of the permanent and unappropriated funds of the Diocese in his hands.

SEC. 2. The Trustees of the Diocese shall keep a record of their action with regard to all property, both real and personal, vested in them; and shall make a full report thereof annually to the Convention, which report shall be published with the Journal of the Convention.

1859.

Before 1859 it was a standing Resolution passed 1845, 33 under Act of the General Assembly of January 8th, 1845.

[a] 1884: 30, 31.

[b] 18**68:** 49.

1886: 33, 35

1859.

1870: 40, 43. Before 1870 this section was a standing Resolulution.

Standing Resol'tions: [a] 1856: 13. [b] 1856: 62. [c] 1856: 66. [d] 1881: 55.

[e] 1885: 47.

[f[ 1879: 49.

1876: 74,

See also Canon passed 1824: 26.

[a] 1887: 42,

# CANON XII,

SALARIES, COMPENSATIONS, ETC.

SECTION 1. The salary of the Bishop of the Diocese is hereby fixed, as heretofore, at two thousand five hundred dollars per annum; to be paid by the Treasurer out of the funds in his hands for that purpose.

Sec. 2. Officers of the Convention, etc.—The [a] Secretary, the Treasurer, the [b] clerical members of the Diocesan Convention, and the members of the [c] Standing Committee of the Diocese, of the  $\lceil d \rceil$  Finance Committee, of the  $\lceil d \rceil$ Committee on Canons, and of the [e] Executive Missionary Committee, in actual attendance upon the duly called meetings of the bodies to which they severally belong, shall be entitled to have their necessary expenses, incurred by such attendance, paid out of the funds of the Diocese; and the Treasurer of the Diocese is hereby directed to pay the same upon the personal application (by letter or otherwise) of said parties, accompanied by a certificate of the amount actually and necessarily expended in each instance. [f] But no Clergyman who comes to the Convention after the first day of its session, or leaves before its adjournment, shall be entitled to the provisions of this section, without special action of the Convention.

### CANON XIII.

#### THE DIOCESAN ASSESSMENT.

The assessments laid upon the Parishes [a] and Missions for the support of the Episcopate and the current expenses of the Diocese, shall be paid in quarterly instalments, on or before the first days of July, October, January and April, in each year. And in case of the failure of any Parish [a] or Mission to meet promptly the payment so required, it shall be the duty of the Treasurer to make a demand for the same.

#### CANON XIV.

#### COLLECTIONS AND OFFERINGS.

1901.

SECTION 1. It shall be the duty of every Clergyman of the Diocese to take an annual offering from every congregation served by him, for each of the objects named below, upon the day named in connection therewith, or upon some other Sunday in the same month, viz.:

Domestic and Foreign Missions: The first Sunday in January.

Diocesan Education Fund: The first Sunday in March.

Theological Department at Sewanee: The first Sunday in May.

Diocesan Relief Fund: The first Sunday in July.

American Church Building Fund: The first Sunday in October.

The omission of one or more of these offerings shall not be deemed a violation of duty in the case of congregations where there is not at least a monthly Sunday service.

Every congregation of this Diocese shall make an offering on Thanksgiving Day for the Thompson Orphanage and Training Institution.

SEC. 2. It shall be the duty of the Minister in charge of 1894: 40. each congregation in the Diocese to obtain, through the agency of the Laity, from every member of the same, if possible, an individual subscription, payable monthly, to the Diocesan Missionary Fund: Provided, that in congregations where it has been found impracticable to obtain monthly subscriptions, a monthly or quarterly collection through the offertory at a Sunday service may be substituted therefor.

SEC. 3. It shall be the duty of the Clergyman, or of some proper officer of each Parish, to remit promptly to the Treasurer of the Diocese, or other proper officer entitled to receive them, the amounts collected as herein provided.

1859.

#### CANON XV.

#### PERMANENT EPISCOPAL FUND.

Resolution 1823: 22.

There shall be established, to aid in the support of the Episcopate, a fund to be called the Permanent Episcopal Fund, to include all sums hitherto contributed specifically to that object, or which may hereafter be contributed, whereof the principal shall remain untouched, and only the interest be applied to the support of the Episcopate.

And the Treasurer is hereby directed to add to the same, from time to time, all the surplus remaining from the amounts received by assessment or otherwise, for the support of the Episcopate and the contingent expenses of the Diocese, after payment of the Bishop's salary and contingent expenses.

1859.

#### CANON XVI.

#### PERMANENT MISSIONARY FUND.

See 1872: 40,

SECTION 1. When any funds shall be contributed or collected for a Permanent Missionary Fund, the amount shall be invested and only the interest thereof shall be applied to current missionary expenses.

SEC. 2. Any surplus which may remain from the amounts received for current missionary expenses, whether by interest upon the permanent fund aforesaid, by assessment or otherwise, after payment of such current missionary expenses, shall be added to the permanent fund aforesaid.

1868

#### CANON XVII.

#### UNAPPROPRIATED FUNDS.

All permanent and unappropriated funds belonging to the Diocese shall be invested by the Treasurer in safe securities, under the direction of the Trustees of the Diocese.

#### CANON XVIII.

1859.

#### CLERGY LIABLE TO MISSIONARY DUTY.

All Clergymen receiving aid from the missionary funds of the Diocese shall be liable to perform regular missionary duty, the sphere of which shall be fixed by the Bishop, and the amount of aid by the Bishop and Missionary Committee.

See Resolution of 1832: 37.

## CANON XIX.

1859.

# JOURNALS OF THE CONVENTION.

The Secretary shall, each year, preserve thirty copies of the Journal for the use of the members of the next ensuing Convention.

See Canon XII of 1830.

# CHAPTER II.—CONVOCATIONS.

#### CANON I.

1901.

Section 1. The Missionary work of the Diocese shall be administered in three Convocations, to be known as the Convocation of Raleigh, for work among the white people in the eastern part of the Diocese; the Convocation of Charlotte, for work among the white people of the western part of the Diocese; and the Convocation of the Colored People, for work among the colored people of the whole Diocese—each Convocation to be under the charge of its own Archdeacon. The dividing line between the Convocations of Raleigh and Charlotte shall be fixed by the Bishop.

SEC. 2. There shall be a meeting of each Convocation at least once in each year at such time and place as shall be appointed by the Bishop, or by the Convocation at the next preceding meeting, and such meeting or meetings shall be attended by the Clergy residing or officiating, and by the Treasurers of all Parishes and Missions situated, within the limits of the Convocation. The Bishop, or, in his absence, the Archdeacon, shall preside at all meetings of the Convocation.

SEC. 3. Each Convocation shall have power to appoint all necessary officers, to prescribe their duties, to require from all its members reports of the work in which they are engaged, to raise funds for Missionary work, under the direction of the Bishop and the Archdeacon, and to take such action, not inconsistent with the Canons of the Diocese, as in the judgment of its members may be deemed expedient for the prosecution of Missionary work within its limits.

#### CANON II.

1901.

SECTION 1. The ministers and officers of all Missions, and of all Parishes supported wholly or in part by appropriations of Missionary funds, whether Diocesan or General, shall make quarterly reports to the Archdeacons of their respective Convocations as to their work, and the contributions of such Missions and Parishes, in such form as the Bishop may prescribe.

SEC. 2. The Treasurer of each Mission and of each Parish whose Minister receives a Missionary stipend, shall report to the Archdeacon of his Convocation by the first day of May in each year the amount subscribed by such Mission or Parish for the salary of the Minister thereof and for Diocesan Missions for the current year; and when the amounts so subscribed by any congregation shall appear inadequate, or when no report has been made, the Archdeacon may, either in person or by deputy, make a canvass of such congregation for subscriptions for these two objects.

# CHAPTER III.—PARISHES.

#### CANON 1.

1859.

ORGANIZATION OF PARISHES.

In order to the organization of a new Parish, and its union with the Convention, it shall be necessary—

First. To obtain the written consent of the Ecclesiastical Authority.

Second. If within the limits of some already existing Parish or Parishes, to obtain and present to the Convention the written consent of the Rector or Rectors of the Parish or Parishes.

Third. To assume a name and elect a Vestry.

Form of subscription presented 1842: 41. Amended 1845: 38.

Fourth. To subscribe and present to the Convention a certificate in the following words, viz.: "We, the undersigned, being adults, desirous to form ourselves into a Parish of the Protestant Episcopal Church in the Diocese of North Carolina, do certify that we consent to be governed by the Constitution and Canons of the Church, as set forth in the General Convention, and by the Constitution and Canons of the Church in this Diocese; that we have assumed the name of....., and have elected the following persons Vestrymen:..... In witness whereof, we have hereunto subscribed our names, this ..... day of ....., in the year of our Lord......" For the purpose of recording said subscription, as also for the purpose of receiving the subscriptions of subsequent voters, provided for by Article IX, Sec. 3, of the Constitution, a book shall be kept by the Vestry of each Parish, and shall be present at the elections.

#### CANON II.

#### PAROCHIAL ELECTIONS.

SECTION 1. Vestry.—Upon the first Monday in Advent, unless some other day has been specified by the Vestry, each Parish shall annually elect, from among the baptized members of the Parish in good moral standing, a Vestry of not less than three, nor more than twelve persons. But in the event, at any time, of an omission to elect, or of  $\lceil a \rceil$  a refusal  $\lceil a \rceil$  1882: 37. of the Vestry elect to serve, the Vestry last chosen shall hold over until another election shall be held.

1897

SEC. 2. Wardens.—Each Vestry shall annually elect a Senior and a Junior Warden [a] being Communicants, from [a] 1888: 61. among their own number, the former upon nomination by the Rector. If there be no Rector, the election shall proceed without such nomination. In case of a vacancy in the office 1896: 35. of Warden, a successor shall be elected in the same manner.

SEC. 3. Duties of Wardens.—In the absence of the Rector, the Wardens shall preside in all meetings of the Vestry or congregation, in the order of their official seniority. As representatives of the Vestry, they shall (subject to its directions and in consistency with the rights of the Pastor) have charge of the church building, and shall see that it be kept from all secular uses, and from all uses inconsistent with the doctrines or discipline of the Protestant Episcopal Church, and, so far as possible, in good repair, as becometh the house They shall see that it be prepared for public worship, and that order be preserved during the same; that suitable books be provided for the service, vestments for the Clergy, and when necessary, the elements for the Holy Communion.

SEC. 4. Treasurer.—In the absence of any other appointment, the Junior Warden shall act as Treasurer of the Parish.

SEC. 5. Vestry Meetings in Certain Cases .- Should the Rector refuse to call a meeting of the Vestry, when, in the opinion of the Wardens or a majority of the Vestry, such a meeting would be of importance, it shall be competent to the Wardens, or any three of the Vestry, to call one: *Provided*, that the Rector shall have due notice of the same.

#### CANON III.

1859.

#### CALL OF A PASTOR.

Where there is no Rector, the Wardens and Vestry shall have power to call a minister and to enter into all needful stipulations for his support. But if he prefer to rely upon the voluntary contributions of the people, he shall be entitled to do so; and the Vestry shall not have power to tax the sittings for that purpose without his consent. The Rector shall not have power to appoint a permanent assistant without the consent of the Vestry.

#### CANON IV.

1859.

#### LEGAL POWERS OF THE VESTRY.

SEC. 1. The Vestry shall be the Trustees of the Parish; shall have charge of all the secular concerns thereof; shall hold the property belonging thereto, and shall be authorized to collect, invest or disburse its funds.

1886: 33, 35.

SEC. 2. Before any Vestry, or other Trustees of a Congregation or Parish, shall be authorized to sell, mortgage or otherwise convey or encumber any property held by them in trust for any Parish or Congregation, they shall obtain the written consent of the Ecclesiastical Authority of the Diocese.

#### CANON V.

1859.

#### DISSOLUTION OF PARISHES.

In case of the dissolution of a Parish, the property belonging to the same shall vest in the Trustees of the Diocese, in trust for the interests of the Church in the said late Parish, and shall, upon the bona fide reorganization of said Parish, be reconveyed to the same.

#### CANON VI.

REGISTRATION, REPORTS, ETC.

1859.

Section 1. Private and Parish Registers.—It is hereby ordered that each Clergyman of this Church [a] shall keep a [a] 1819: 14. register of all the baptisms, marriages, confirmations and burials solemnized by him, as well as of all the baptisms, marriages, confirmations and burials within his Parish or Cure, specifying the names of the persons in each instance; the [b] parentage and date of birth of those baptized, with the [b] 1881: 103. names of their sponsors or witnesses, and the time when each rite is performed, which register shall be transcribed at least once in each month into a book to be kept for the purpose by the Vestry of the Parish.

SEC. 2. Lists of Communicants, etc.—It shall also be the duty of each Clergyman to keep a  $\lceil a \rceil$  list of the communicants  $\lceil a \rceil$  1819: 14. within his Cure, and, so far as practicable, of all the families and adult persons within the same, to remain for the use of his successor.

SEC. 3. Parochial Reports.—It shall be the duty of every 1893: 48. Clergyman, at the close of the month of April each year, to report to the Bishop of the Diocese, by such form as shall be from time to time set forth by authority of the Diocesan Convention, the number of baptisms, confirmations, marriages and burials among the people of his charge since the close of his last report; also such official acts as he may have performed within or without his Cure, specifying in the latter case the place where performed. He shall also report, so far as practicable, the number of baptized persons and the number of communicants within his Cure, with the number of children receiving religious instruction in Sunday-schools or Parochial schools; also the amount of contributions for Church purposes, as well as such other matters as may throw light on the state of the Parish.

SEC. 4. Reading of Reports.—The Parochial Reports, or such parts of the same as the Bishop may deem fit, may be read in the Diocesan Convention, and shall be entered upon the Journals thereof.

Standing Resolution passed 1835:

1886: 34, 35.

1888 : 62.

SEC. 5. If there be no Pastor. - In the case of a Parish

without a Pastor, it shall be the duty of the Vestry to make

the Parochial Report required by this Canon. SEC. 6. Communicants to be Reported.—Every confirmed person, resident of the Parish, who has been admitted to the Holy Communion, and has not withdrawn nor been suspended. shall be reckoned a communicant for the purposes of this Canon.

#### CANON VII.

1897.

#### MEMORIALS.

No memorial shall hereafter be placed in any church without the consent both of the Rector or Minister in charge and of the Vestry. No memorial heretofore placed in any church, and none hereafter placed in accordance with this Canon, shall be altered or removed without the consent both of the Rector or Minister in charge, and of the Vestry: Provided, that when there is no Rector or Minister in charge, or when there is no Vestry, the consent of the Ecclesiastical Authority of the Diocese, together with that of the Vestry, or together with that of the Rector or Minister in charge, shall suffice.

# CANON VIII.

1900.

#### MISSIONS.

SECTION 1. Any Mission outside the limits of an already existing Parish may be organized by the Bishop, at his discretion, on the application of residents in the neighborhood.

SEC. 2. The officers of an Organized Mission shall be a Warden, Treasurer and Clerk, two of the offices being held, if necessary, by one person.

SEC. 3. The Bishop shall appoint the above-named officers at the organization of the Mission, and thereafter on the first Monday in Advent of each year: *Provided*, that whenever the number of male communicants in said Mission shall be not less than five, said male communicants shall, annually, on the first Monday in Advent, unless some other day be appointed by the officers, elect from their own number the officers of the Mission; and in case they fail to do so, the Bishop may either appoint new officers, or allow the officers last chosen to continue until the first Monday in Advent next ensuing.

# CHAPTER IV.—DISCIPLINE.

#### CANON I.

#### TRIAL OF CLERGYMEN.

The only Canons on this subject prior to 1859 were three passed in 1818.

1859.

SECTION 1. The Presentment.—Any Clergyman shall be liable to presentment and trial for false doctrine, immorality, disorderly conduct, violation of the rubrics, of the Constitution or Canons of the Church of the United States, or of the Constitutions or Canons of the Church of this Diocese.

Such presentment shall be made by the Vestry of the Parish in which said Clergymen has charge, or in which he resides, or by at least three male communicants of the Diocese, of full age, or by two or more Presbyters, who shall have been canonically resident therein for one year.

But no presentment shall be made in any case of any offence alleged to have been committed more than three years before the date of the presentment: *Provided*, that if the accused be convicted of the alleged offence in a civil court, presentment may still be made within one year after said conviction.

Said presentment shall be made to the Bishop, in writing, with the names of the presenters subscribed, and shall distinctly declare, with all reasonable specification of time and circumstances, the nature of the offence or offences with which the said Clergymen may be charged.

SEC. 2. Public Rumor.—But although no such presentment be made, if public rumor charge any Clergyman with the commission of any of the offences above enumerated, the Bishop shall appoint two or more Presbyters to investigate the truth of such rumor; and if such investigation prove adverse to the Clergyman so charged, the said Presbyters shall make the presentment as above, according to the form and regulations there provided.

The presenters shall, in all cases, assume the responsibility of conducting the prosecution.

SEC. 3. Service of Presentment—Constitution of Court.—Should the Bishop be of opinion, from the nature of the charge or charges made, that the presentment contains sufficient grounds for proceeding to trial, he shall cause a copy thereof to be forthwith sent to the accused. He shall then give notice to the Standing Committee, who thereupon shall select seven Presbyters, actually and canonically resident in the Diocese, from whom the President of the Standing Committee shall, in writing, call upon the accused to elect three. But in case the accused refuse or neglect to make such election within ten days after due notice as aforesaid, the Standing Committee shall make the said election.

The three Presbyters so elected shall constitute a court for the trial of the accused, and shall have all powers necessary for the due conducting of the said trial.

- SEC. 4. Lay Assessor.—The Bishop shall appoint a member of the legal profession, who shall also be a communicant of the Church, as Assessor to the Court, to advise the Court, if requested, upon all questions of law which may arise during the trial.
- SEC. 5. Time and Place of Trial and Notice Thereof.—The Bishop shall appoint a time and place of trial, and shall give at least thirty days' notice of the same to the members of the Court, the Assessor, the Presenters, and the Accused; at which time and place the Witnesses also shall be notified to attend.
- SEC. 6. Assembling of Court and Record of Proceedings.— The Court shall assemble at the time and place appointed, and shall proceed to examine fully the charges; and shall keep an accurate record of all their proceedings and of the evidence.
- SEC. 7. Nature of Evidence and How Given.—No charge shall be considered as established, unless proven by two witnesses, or by one witness and corroborating circumstances.

Testimony may be given orally before the Court, or in writing, upon interrogatories and cross-interrogatories, to be previously filed with the Secretary or Registrar of the Court. Any one or more of the witnesses may be examined on oath or affirmation, on the requisition of either party.

SEC. 8. Decision of the Court and the Sentence.—A unanimous vote of the Court on one or more of the charges, shall be necessary to the conviction of the accused; and if their decision be adverse to the accused they shall proceed to determine the kind and degree of punishment commensurate, in their opinion, with the offence or offences committed. They shall transmit the record of their proceedings [a] under their hands to the Bishop, who shall have power to affirm, modify, or set aside said judgment, and whose decision shall be final, except that he shall have no power to increase the punishment recommended by the Court.

SEC. 9. Suspension, or any heavier sentence, shall, *ipso* facto, sever the connection of the Clergyman with his Parish.

SEC. 10. The Record to be Filed.—The record provided for in the sixth section of this Canon, together with the Bishop's sentence endorsed, shall be preserved among the papers of the Diocese.

SEC. 11. Notices.—For the purpose of any notice provided for by this Canon, it shall be sufficient to serve it either personally or by leaving a copy thereof at the last place of residence of the accused.

SEC. 12. Confession of an Offence.—When a Clergyman shall make confession to the Bishop of the commission of any of the offences enumerated in the first section of this Canon, the Bishop shall proceed to inflict such ecclesiastical censure, or punishment, upon the Clergyman so confessing, as he (the Bishop) shall think right.

SEC. 13. Renunciation of False Doctrine.—In the case of any accusation of false doctrine, a renunciation of the same, to the satisfaction of the Bishop, shall stay all further procedings.

[a] 1888: 62.

# RULES OF ORDER.

These Rules of Order were adouted 1858: 66

I. Upon the day appointed, the Convention shall assemble at 10 a.m., for the purpose of organization. The presiding officer shall call the Convention to order, and cause the roll to be called; whereupon, should a quorum be present, the Convention should be declared organized.

II. After [a] the Holy Communion has been celebrated, [a] 1887: 43. the Convention shall proceed to the election of a President and Secretary.

III. The Convention shall elect a Treasurer after the report of the Committee on Finance. (See Rule V.)

IV. All committees shall be appointed by the presiding officer, unless otherwise ordered.

V. The Order of Business shall be as follows:

1899: 40.

FIRST DAY.

Organization.

Election of President and Secretary.

Appointment of hours.

Other business

Recess.

P. M. Appointment of regular Committees.

Reports and reference of same:

Standing Committee.

Trustees of the Diocese.

Treasurer.

Finance Committee.

Special Committees of previous Convention.

Trustees of St. Mary's School.

Managers of Thompson Orphanage.

Trustees of the University of the South.

Commissioners of the American Church Building Fund.

Other reports.

Petitions and Memorials.

Motions and Resolutions.

#### SECOND DAY.

A. M. Address of the Bishop, and necessary references.

Report of Committee on New Parishes.

Committee on Elections.

Committee on Unfinished Business.

Committee on Canons.

Special Committees.

Executive Missionary Committee.

Miscellaneous Business.

Recess.

#### P. M. Miscellaneous Business.

#### 4. Elections:

Standing Committee.

Treasurer of the Convention.

Deputies to General Convention. Triennial.

Delegates to Missionary Council.

Trustees of the University of the South. Triennial (after General Convention).

Trustee of the General Theological Seminary. Triennial (after General Convention).

Trustees of St. Mary's School. Triennial.

Trustees of Boys' School at Salisbury.

Managers of Thompson Orphanage. Biennial.

Education Committee.

Miscellaneous Business.

Recess.

Missionary Meeting.

Miscellaneous Business.

#### THIRD DAY.

Miscellaneous Business, including

Report of Committee on State of the Church.

Election of Executive Missionary Committee.

Appointment of time and place for the next Convention.

VI. After the President has taken the chair no member shall continue standing, except to address the chair.

VII. Speakers shall address the chair, and shall confine themselves to the point in debate.

VIII. No motion shall be considered unless seconded, and, if required, reduced to writing.

IX. When the President is putting any question, the members shall continue in their seats, and shall not hold any private discourse.

X. When a question is under consideration, no motion shall be received, unless to lay upon the table, to postpone to a certain time, to postpone indefinitely, to commit, to amend, or to divide; and motions for any of these purposes shall have precedence in the order herein named. The motions to lay on the table and to adjourn shall always be in order, and shall be decided without debate; and of these the motion to adjourn shall take precedence.

XI. If the question under debate contains several distinct propositions, the same shall be divided at the request of any member, and a vote taken separately, except that a motion to strike out and insert shall be indivisible.

XII. All amendments shall be considered in the order in which they are moved.

When a proposed amendment is under consideration, a motion to amend the same may be made. No after amendment to such second amendment shall be in order. But when an amendment to an amendment is under consideration, a substitute for the whole matter may be received. No proposition on a subject different from the one under consideration shall be received under color of a substitute.

XIII. In voting by orders, the names of the delegates from each Parish shall be called, and each delegate shall vote either "Aye" or "No," and the majority of the votes of the delegates from a Parish shall determine the vote of such Parish. And it shall be the duty of the Secretary to record the names of the voters and the votes which they respectively give.

1870: 39. 1881: 42, 106. 1897:46.

But if the vote be unanimous, it shall suffice to record the number voting in each order; and unless the vote of a Parish be equally divided, it shall suffice to record the vote of the Parish and that of any dissenting delegate.

XIV. A question once decided shall stand as the judgment of the Convention, and shall not be drawn again into debate. A motion to reconsider any vote shall not be in order, except on the same or succeeding day to that on which the vote is taken: Provided, always, that a vote or question may be reconsidered at any time by the consent of two-thirds of the Convention: Provided, further, that no motion to reconsider shall be made on the last day of the Convention, except on a vote or question originally taken on that day.

XV. The reports of all committees shall be in writing, and shall be received of course, and without motion for acceptance, unless recommitted. All reports recommending or requiring any action or expression of opinion by the Convention shall be accompanied by a corresponding resolution.

XVI. All questions of order shall be decided by the chair without debate, but any member may appeal from such decision. And on such appeal no member shall speak more than once without leave.

XVII. No member shall be absent from the sessions of the Convention without leave, or unless he be unable to attend.

XVIII. When the Convention is about to rise, every member shall keep his seat until the President leaves the chair.

XIX. On motion duly put and carried, the Convention may resolve itself into a Committee of the Whole, with or without closed doors, for the purpose of discussing such subjects as may be approved by the Convention.

The Bishop, with the Archdeacons, may select and announce subjects for discussion: *Provided*, that if the motion to go into a Committee of the Whole has specified the subject to be discussed, that subject shall first be disposed of.

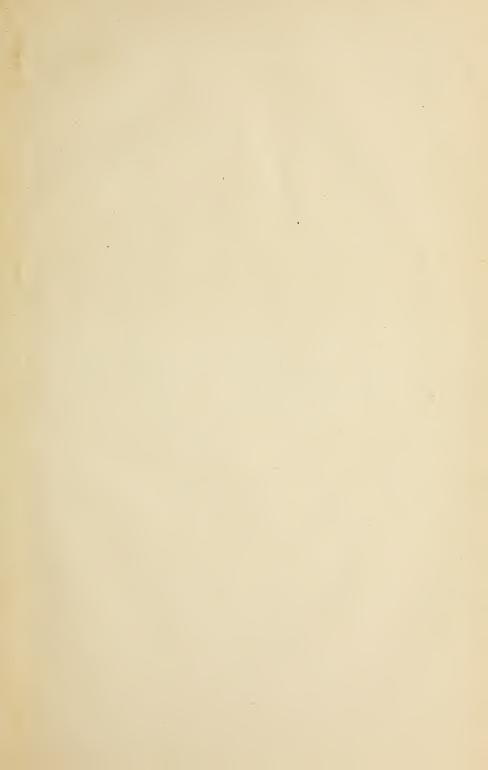
1881: 29

# LIST OF PARISHES

IN UNION WITH THE CONVENTION OF THE DIOCESE OF NORTH CAROLINA, 1901.

	ADMITTED.	
1.	Tarboro, Calvary Church,	
2.	Williamsboro, St. John's Church,	
3.	Warrenton, Emmanuel Church,	
4.	Rowan County, Christ Church,	
5.	Halifax, St. Mark's Church,	
6.	Wadesboro, Calvary Church,	
7.	Raleigh, Christ Church,	
8.	Oxford, St. Stephen's Church,	
9.	Salisbury, St. Luke's Church,	
10.	Hillsboro, St. Matthew's Church,	
11.	Scotland Neck, Trinity Church,	
12.	Pittsboro, St. Bartholomew's Church	
13.	Rowan County, St. Andrew's Church,	
14.	Henderson, Church of the Holy Innocents, 1842	
15.	Chapel Hill, Chapel of the Cross,	
16.	Leaksville, Church of the Epiphany, 1845	
17.	Charlotte, St. Peter's Church,	
18.	Louisburg, St. Paul's Church,	
19.	Jackson, Church of the Saviour,	
20.	Iredell County, St. James' Church,	
21.	Wilson, St. Timothy's Church,	
22.	Kittrell, St. James' Church,	
23.	Greensboro, St. Barnabas' Church	
24.	Ringwood, St. Clement's Church,	
25.	Tarboro, St. Luke's Church,	
26,	Ridgeway, Chapel of the Good Shepherd,	
27.	Weldon, Grace Church,	
28.	Raleigh, Church of the Good Shepherd, 1874	
29.	Enfield, Church of the Advent,	
30.	Enfield, Church of the Advent,	
31.	Winston, St. Paul's Church	

# LIST OF PARISHES.





Gaylord Bros.

Makers

Syracuse, N. Y.

PAT, JAN. 21, 1908

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